

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re

Bky. No.: 04-43949
Chapter 11 case

Ricky Anderson and
Jan Anderson

Debtors

**NOTICE OF HEARING AND MOTION TO APPROVE STIPULATION
AND REQUEST FOR EXPEDITED RELIEF**

TO: The Debtors and other entities specified in Local Rule 9013-3(a) and the creditor matrix.

1. The undersigned counsel for Debtors moves the Court for the relief requested below and gives notice of hearing.

2. The Court will hold a hearing on this motion at 10:30 a.m. on October 20, 2004 before the Hon. Robert J. Kressel in Bankruptcy Courtroom No. 8 West, United States Bankruptcy Court, 300 South Fourth Street, Minneapolis, Minnesota 55415.

3. Any response to this motion must be filed and delivered not later than 10:30 a.m. on October 15, 2004, which is three days (excluding weekends and holidays) before the time set for the hearing, or filed and served by mail not later than October 8, 2004, which is seven days (excluding weekends and holidays) before the time set for the hearing. **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, and Bankruptcy Rule 5005. This proceeding is a core proceeding. The petition commencing this Chapter 11 case was filed on July 15, 2004. The case is now pending in this Court.

5. This motion arises under 11 U.S.C. § 361(2) and Bankruptcy Rule 9019. If necessary, the movant(s) will call Debtors, Ricky and Jan Anderson or one of them as a witness

at the hearing of this motion, to testify as to matters set forth below. In addition, if necessary, movant(s) will call financial consultant, James D Anderson, 1230 Willow Lane SW, Rochester, MN 55902-1809 to testify concerning financial issues. This motion is filed under Bankruptcy Rule 9014 and Local Rules 9006-1 through 9017-1. Movant(s) request the following relief: approval of the settlement of the controversy with Deere & Company ("Deere") as set forth in the attached stipulation (Exhibit 1).

6. The facts upon which this motion is based are set forth and verified below:

7. Deere filed a motion for relief from the automatic stay on September 2, 2004. The hearing was set for September 16, 2004 and continued pursuant to Court order for an evidentiary hearing on October 7, 2004.

8. The persons listed as being served with the Deere motion included Eastwood Bank which has a security interest in equipment of the Debtors.

9. The only response filed to the Deere motion was filed by the Debtors.

10. After considerable negotiation, a settlement of the Deere motion was reached. The settlement is expressed in the attached stipulation (Exhibit 1).

11. In the Debtors' analysis, the stipulation is in the best interests of the creditors and the bankruptcy estate. It preserves the essential pieces of equipment necessary for an effective reorganization. It provides for adequate protection to Deere without depleting the cash available to the Debtors. It provides for the disposition of three pieces of equipment which will reduce the indebtedness. It avoids an immediate liquidation of the estate, the likely result of which would be very little recovery for the general unsecured creditors. An estimate of the consequences of a liquidation are shown on the attached liquidation analysis (Exhibit 2).

12. The market demand for the combine and two heads referred to in paragraph 6 of the attached stipulation is expected to diminish as the harvest season continues. Time is of the essence in obtaining court approval for the disposition. Debtors request the shortening of the time necessary to obtain court approval.

Wherefore, the undersigned counsel for Debtors moves the Court for an order granting the following relief:

1. Approval of the attached stipulation (Exhibit 1).
2. Shortening the time for notice to provide expedited relief.
3. Such other relief as may be just and equitable.

Dated: October 6, 2004.

/e/ Brian L. Boysen

Brian L. Boysen, #0010522, of Counsel to
Kurt M. Anderson # 2148
Attorneys for Debtors
P.O. Box 2434
Minneapolis, Minnesota 55402-0434
(612) 333-3185

VERIFICATION

We hereby declare under penalty of perjury that we have read the foregoing motion and that the facts stated therein are true and correct.

Executed on: _____

Ricky Arthur Anderson

Executed on: _____

Jan Lee Anderson

Wherefore, the undersigned counsel for Debtors moves the Court for an order granting the following relief:

1. Approval of the attached stipulation (Exhibit 1).
2. Shortening the time for notice to provide expedited relief.
3. Such other relief as may be just and equitable.

Dated: October 6, 2004.

/s/ Brian L. Boysen

Brian L. Boysen, #0010522, of Counsel to
Kurt M. Anderson # 2148
Attorneys for Debtors
P.O. Box 2434
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(612) 333-3185

VERIFICATION

We hereby declare under penalty of perjury that we have read the foregoing motion and that the facts stated therein are true and correct.

Executed on: 10-6-04

Ricky Arthur Anderson
Ricky Arthur Anderson

Executed on: 10-6-04

Jan Lee Anderson
Jan Lee Anderson

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re

Bky. No.: 04-43949

Chapter 11 case

Ricky Anderson and
Jan Anderson

Debtor(s)

**STIPULATION TO SETTLE DEERE & COMPANY
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

The Debtors and Deere & Company (Deere), through their respective counsel, enter into the following agreement to settle the pending Deere & Company motion for relief from the automatic stay:

1. For purposes of the present motion and for purposes of plan confirmation issues, Deere & Company shall be deemed fully secured by its existing Purchase Money Collateral, as follows:

<i>Contract No.</i>	<i>Collateral</i>	<i>Agreed upon market value</i>	<i>Claim Amount</i>	<i>Equity cushion based on agreed value</i>
08-BC	N JD 856 CULT X001358	\$6,000.00	\$2,917.12	\$3,082.88
08-BG	U JD 9500 COMB X646027; U JD 925 PLTC F672387	\$50,000.00	\$48,324.01	\$1,675.99
08-BI	N JD 9220 FWTR P001603	\$108,000.00	\$102,976.46	\$5,023.54
05-BJ	U JD 260 SKLD A260129 U JD 425 LGTR B090353	\$21,000.00	\$19,106.51	\$1,893.49
08-BK	U JD 693 CNHD X671057 U JD 925 PLTC F675927 N Unverferth 30" TRSP 0270551	\$27,000.00	\$25,304.37	\$1,695.63
08-BL	U JD 4700 HICY X006030	\$64,000.00	\$59,235.16	\$4,764.84
08-BM	N JD 1790 PLTR C700288	\$106,000.00	\$102,123.58	\$3,876.42
08-BN	U JD 893 CNHD X656710	\$18,000.00	\$14,762.91	\$3,237.09
TOTAL		\$400,000.00	\$374,750.12	\$25,249.88

2. As adequate protection against declines in its collateral value, Deere & Company shall have the best available liens on the Debtors' non-titled farm machinery and equipment, except for \$26,000 in exemptions to be selected by the Debtors, valued approximately as follows ("Adequate Protection Collateral"):

<i>Description</i>	<i>Estimated Value</i>	<i>Estimated PMSI balance</i>	<i>Est. Eastwood bank general SI (allocated)</i>	<i>Estimated Available value</i>
Degelman 16' 6 way hyd. front Blade	\$11,500.00	\$8,909.00	\$2,591.00	\$-
2003 Woods 3180 15' Mower	\$8,000.00	\$8,546.00	\$1.00	\$-
Case IH 9 Shank 2500 Ripper with hyd. Hitch Assembly	\$16,800.00	\$8,374.00	\$8,426.00	\$-
Farmstar Manure System with Balzer Pump and Balzer 8450 Manure Tank with front assembly rate meter control, and disc incorporation	\$58,500.00	\$60,080.00	\$1.00	\$-
Meyers 9ft. Snowplow	\$1,600.00		\$1.00	\$1,599.00
AMT w/dumpbox	\$3,000.00		\$1.00	\$2,999.00
Utility trailer	\$2,000.00		\$1.00	\$1,999.00
2001 Road Boss skid loader trlr. w/brakes	\$4,500.00		\$1.00	\$4,499.00
John Deere 980 digger w/harrow	\$19,000.00		\$1.00	\$18,999.00
2001 Kent 34' Discovator with 500 gal. incorp. unit with Raven pump. 7333D with 5 bar, rear attach	\$16,500.00	\$16,013.02	\$1.00	\$485.98
Sched B Attachment B-1 (all other machinery)	\$213,400.00		\$191,602.00	\$21,798.00
<i>Less Lien Avoidance</i>				<i>-26,000.00</i>
<i>Total</i>				<i>\$26,378.98</i>

3. Deere's lien on Adequate Protection Collateral will survive plan confirmation, dismissal of the case, or conversion of the case to Chapter 7.

4. The Debtors will execute necessary documents to perfect Deere's security interest in the Adequate Protection Collateral.

5. In the event of liquidation, Deere will exhaust its Purchase Money Collateral according to the usual standards of commercial reasonableness, before liquidating the Adequate Protection Collateral.

6. Deere is granted relief from the automatic stay with respect to Contract # 08-BG collateral ("U JD 9500 COMB X646027; U JD 925 PLTC F672387," a combine and bean head) and also a 693 corn head listed under Contract # 08-BK ("U JD 693 CNHD X671057"), (collectively "the sale items") subject to the conditions stated in this paragraph. The Debtors shall be allowed to arrange a sale of the sale items or any of them within 60 days after the filing of this stipulation. The sale shall be with Deere's consent but shall not require further order of this Court. All proceeds of the sale shall go to Deere to be credited to Debtors' accounts with Deere. At the end of the 60 days, Debtors shall surrender to Deere any of the sale items which have not been sold for commercially reasonable liquidation by Deere, with net proceeds of liquidation credited to debtors' accounts with Deere. During the 60 days, Debtors shall not use these items except for demonstrative, incidental, or emergency use, in no event exceeding 30 engine hours on the combine (for a total of 3090 hours on the engine meter) or 20 hours on the combine separator (for at total of 2100 hours on the separator meter).

7. Except for the valuation issues resolved by this stipulation, Deere reserves all objections it may have as to any plan filed by the Debtors or by any other party.

8. To the extent indicated in the paragraph 1 above, Deere is deemed an oversecured creditor for purposes of 11 U.S.C. § 506(b), subject to any determination of reasonableness or other legal issue that may be raised under that statute.

Dated: October 4, 2004

Dated: October 4, 2004

RIDER BENNETT, LLP

/e/ William P. Wassweiler

William P. Wassweiler # 232348
Attorney for Deere & Company
333 South Seventh Street, Suite 2000
Minneapolis, MN 55402
612-340-7973

/e/ Kurt M. Anderson

Kurt M. Anderson # 2148
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612-333-3185

Ricky and Jan Anderson
Bky. No.: 04-43949
CHAPTER 11
LIQUIDATION ANALYSIS

I Real Estate:

Parcel No.	Acres	Liquidation Value	Liens	Equity	Tax Basis	Estimated taxable gain	Estimated Tax consequences
1. Circle A Pork	40	\$620,000.00	\$469,596.00 \$66,997.00	\$83,407.00	\$315,285	\$ 304,715.00	
2. Windmill Pork	40	\$440,000.00	\$408,931.00	\$31,069.00	\$485,442	\$ (45,442.00)	
3. Home Farm	126	\$397,130.00	\$225,906.00 \$29,043	\$142,181.00			
4. Summer Bay time share (est. equity approx. \$1,500)			equity too small to consider after transaction costs				
Total Equity					\$ 256,657.00		
Less Equity in homestead up to 160 acres (All of Parcel No. 3 above, \$500,000 limit per debtor)					\$ (142,181.00)		
Real Estate liquidation value						\$ 114,476.00	

2 All Personal Property (see attachment)

Liquidation Value	Amount of Liens	Equity	Exemptions	Net Tax Basis		
\$ 993,485.00	\$ 710,049.35	\$ 231,799.50	\$45,166.00	\$187,133.50	\$ 640,355.00	\$ 307,964.00
Total Less Exemption					\$ 187,133.50	\$282,349

SUBTOTAL OF ABOVE ITEMS (1-2)

\$ 301,609.50

Less likely tax consequences on liquidation of above items

THIS DOES NOT CONSTITUTE TAX ADVICE TO ANYONE

\$ (282,349.00)

Subtotal

\$ 19,260.50

Less:

25% of first \$5,000 or less	\$ (1,250.00)
10% of next \$45,000 or less	\$ (1,426.05)
5% of next \$950,000 or less	\$ -
3% of amount over \$1,000,000	\$ -

Total trustee fees (or \$50,000 maximum if total exceeds that amount):

\$ (2,676.05)

Amount if any to be paid on priority unsecured debt
(income tax, etc. estimate only)

\$ (43,635.87)

AMOUNT TO BE PAID ON GENERAL UNSECURED DEBT

\$ -

Category	Description	Value	Eastwood general collateral?						PHI	Equity	Exemption	Net
			Deere	New Holland	Holden	Altura	Eastwood					
Household goods and furnishings, including audio, video, and computer equipment.	Household goods and furnishings	\$ 4,000.00								\$ 4,000.00	\$ 4,000.00	\$ -
Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	Misc books in house	\$ 500.00								\$ 500.00	\$ 500.00	\$ -
Wearing apparel.	Wearing apparel	\$ 500.00								\$ 500.00	\$ 500.00	\$ -
Furs and jewelry.	wedding rings & misc	\$ 1,000.00								\$ 1,000.00	\$ 1,000.00	\$ -
Firearms and sports, photographic, and other hobby equipment.	golf clubs & misc	\$ 500.00								\$ 500.00	\$ -	\$ 500.00
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	100K Canada Life 2663-800	\$ 300.00								\$ 300.00	\$ -	\$ 300.00
	100K Canada Life 2654-173	\$ 400.00								\$ 400.00	\$ 400.00	\$ -
	200K Canada Life 2653-614	\$ 1,800.00								\$ 1,800.00	\$ 1,800.00	\$ -
Interests in IRA, ERISA, IRA Keogh, or other pension or profit sharing plans. Itemize.		\$ 1,683.00								\$ 1,683.00	\$ 1,683.00	\$ -
	IRA	\$ 1,683.00								\$ 1,683.00	\$ 1,683.00	\$ -
Stock and interests in incorporated and unincorporated businesses. Itemize.	Twin Valley Coop	\$ 13,138.00					?	\$ 13,137.00	\$ 1.00	\$ -		\$ -
	Greenway Coop	\$ 517.00					?	\$ 516.00	\$ 1.00	\$ -		\$ -
Accounts receivable.	Holden Farms - 23,610 / John Manley - 6,454	\$ 23,610.00					(assigned to AgriVenture)			\$ -		\$ -
Accounts receivable.	Holden Farms - 23,610 / John Manley - 6,454	\$ 6,454.00					?	\$ 6,454.00	\$ 1.00	\$ -		\$ -
Automobiles, trucks, trailers, and other vehicles and accessories.	2002 Ford Super Crew Pickup; 53,000 miles; Lariat pkg. 4x4	\$ 21,500.00					(separate note)	\$ 10,672.06		\$ 10,827.94	\$ 7,600.00	\$ 3,227.94
	Transcraft 48' Aluminum Flatbed Trailer with Spread Axle, Aluminum deck, also with 6500 gal. tank, transfer pump & inductors, 100' reel hose	\$ 11,500.00								\$ 11,500.00		\$ 11,500.00
	1996 Ford 250 Pickup Truck; 130,000 miles	\$ 5,500.00								\$ 5,500.00		\$ 5,500.00
	1998 Ford Expedition	\$ 12,000.00				\$ 11,280.00				\$ 720.00		\$ 720.00
	1997 Ford Explorer	\$ 5,000.00				\$ 4,773.15				\$ 226.85		\$ 226.85
	2003 Surveyor trailer	\$ 15,000.00				\$ 14,100.00				\$ 900.00		\$ 900.00
	1980 Ford 800 Truck with Van Body	\$ 3,500.00								\$ 3,500.00		\$ 3,500.00

Category	Description	Value	Eastwood general collateral?						PHI	Equity	Exemption	Net
			Deere	New Holland	Holden	Altura	Eastwood					
Office equipment, furnishings, and supplies.	desks, computer, printer, fax machine, filing cabinets, and other misc. items.	\$ 3,500.00					\$ 1.00			\$ 3,499.00		\$ 3,499.00
Farming equipment and implements.												
	2002 John Deere 9220 Tractor, pto, 3pt, 5 hyd. RW9220P001603	\$ 132,500.00	\$ 102,976.46			x	\$ -			\$ 29,523.54		\$ 29,523.54
	2003 John Deere 1790 16 row corn planter with overhead, attach & raven	\$ 112,000.00	\$ 102,123.58			x	\$ -			\$ 9,876.42		\$ 9,876.42
	2000 John Deere 4700 Sprayer	\$ 91,000.00	\$ 59,235.16			x	\$ -			\$ 31,764.84		\$ 31,764.84
	1992 John Deere 9500 Combine with 10 series Update and Greenstar and a 1998 John Deere 925 Bean Head with dial speed hyd. Auto header control, with yellow polyslide with transport.	\$ 56,000.00	\$ 48,324.01			x	\$ -			\$ 7,675.99		\$ 7,675.99
	1994 John Deere 693 Corn Head with plastic snouts and knife rolls 1998 John Deere 925 Bean Head with dial speed hyd. Auto header control, with yellow polyslide with transport.	\$ 29,000.00	\$ 25,304.37			x	\$ -			\$ 3,695.63		\$ 3,695.63
	2001 John Deere 260 Skid Steer Loader, fully equiped cab & bucket and 2002 John Deere 425 Lawn	\$ 24,400.00	\$ 19,106.51			x	\$ -			\$ 5,293.49		\$ 5,293.49
	1997 John Deere 893 8 row corn head with plastic snouts & chopping knives	\$ 20,000.00	\$ 14,762.91			x	\$ -			\$ 5,237.09		\$ 5,237.09
	1998 John Deere 856 16r Cultivator with high residue	\$ 8,400.00	\$ 2,917.12			x	\$ -			\$ 5,482.88		\$ 5,482.88
	Degelman 16' 6 way hyd. front Blade	\$ 11,500.00		\$ 8,909.00		x	\$ 2,591.00			\$ -		\$ -
	2003 Woods 3180 15' Mower	\$ 8,000.00		\$ 8,546.00		x	\$ -			\$ -		\$ -
	Case IH 9 Shank 2500 Ripper with hyd. Hitch Assembly	\$ 16,800.00		\$ 8,374.00		x	\$ 8,426.00			\$ -		\$ -
	Farmstar Manure System with Balzer Pump and Balzer 8450 Manure Tank with front assembly rate meter control, and disc incorporation	\$ 58,500.00			\$ 60,080.00	x	\$ -			\$ -		\$ -
	Sched B Attachment B-1 (all other machinery)	\$ 213,400.00				x	\$ 191,608.00			\$ 21,792.00	\$ 26,000.00	\$ (4,208.00)
	2001 Hawkbilt 34' dual dump Grain Trailer with roll top and 1995 Ford Aeromax L-9000 Semi Tractor	\$ 31,800.00				(separate note)	\$ 2,071.17			\$ 29,728.83		\$ 29,728.83
	Meyers 9ft. Snowplow	\$ 1,600.00				x				\$ 1,600.00		\$ 1,600.00
	AMT w/dumpbox	\$ 3,000.00				x				\$ 3,000.00		\$ 3,000.00
	Utility trailer	\$ 2,000.00								\$ 2,000.00		\$ 2,500.00
	2001 Road Boss skid loader trlr. w/brakes	\$ 4,500.00								\$ 4,500.00		\$ 4,500.00
	John Deere 980 digger w/harrow	\$ 19,000.00				x				\$ 19,000.00		\$ 19,000.00
	2001 Kent 34' Discovator with 500 gal. incorp. unit with Raven pump. 7333D with 5 bar, rear attach	\$ 16,500.00				x	\$ 13,911.00			\$ 2,589.00		\$ 2,589.00
Total		\$ 993,485.00	\$ 374,750.12	\$ 25,829.00	\$ 60,080.00		\$ 249,387.23	\$ 3.00		\$ 231,799.50	\$ 45,166.00	\$ 187,133.50

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re

Bky. No.: 04-43949
Chapter 11 case

Ricky Anderson and
Jan Anderson

Debtor(s)

**MEMORANDUM OF LAW IN SUPPORT OF APPROVAL OF
SETTLEMENT OF DEERE RELIEF FROM STAY MOTION**

Deere & Company (Deere) moved for relief from the automatic stay in order to enforce its rights in collateral to collect its claims, asserted to total approximately \$375,000. The Debtors and Deere have arrived at the stipulated settlement that is included with the present motion papers. The settlement involves granting Deere the best available lien on non-titled machinery and equipment, the details of which are outlined in the stipulation. It also provides for relief from the automatic stay with respect to three pieces of collateral, giving the Debtors a 60-day period to arrange a retail sale on Deere's behalf before Deere is allowed to sell the items at liquidation prices.

Out of concern that the settlement may affect the interests of other creditors in the case the Court has directed that the Debtors bring a separate motion to approve the settlement. The settlement, and avoiding a general liquidation of Deere collateral, is vital to a successful reorganization and payment to unsecured creditors. The liquidation analysis attached to the present motion shows that tax consequences would exhaust all funds available to pay general unsecured creditors.

In general, settlements of controversies are governed by FRBP 9019. The Court has implied statutory authority to approve settlements pursuant to that rule. *In re Dow Corning Corp.*, 198 B.R. 214, 246 (Bankr. D. Mich. 1996). It has express statutory authority to approve the granting of an "additional or replacement lien" under 11 U.S.C. § 361(2). The sale of the three pieces of collateral (a combine and two combine heads) will be done pursuant to the relief

from stay order, on Deere's account, so no additional authority will be required to complete that sale.

Because the interest in purchasing harvest equipment may fall off after harvest season, the present motion also asks the Court to shorten the 20-day notice period otherwise required by FRBP 2002(a)(2), if applicable, or (a)(3).

For these reasons, the Court should grant the motion and approve the stipulation.

Respectfully submitted,

/e/ Kurt M. Anderson

Kurt M. Anderson # 2148

Attorney for Debtors

P.O. Box 2434

Minneapolis, Minnesota 55402-0434

(612) 333-3185

DECLARATION OF SERVICE BY MAIL

Brian L. Boysen declares under penalty of perjury that on October 6, 2004, he caused to be served the following:

- (1) NOTICE OF HEARING AND MOTION TO APPROVE STIPULATION AND REQUEST FOR EXPEDITED RELIEF with verification of debtors
 - (2) MEMORANDUM OF LAW IN SUPPORT OF APPROVAL OF SETTLEMENT OF DEERE RELIEF FROM STAY MOTION
 - (3) This Proof of Service
 - (4) Proposed Order
- upon

Combined matrix and service list (as listed below, edited to eliminate duplicate entries)

By routing copies thereof pursuant to normal office procedure, for deposit in the United States Mail, directed to each entity at the addresses indicated thereon.

VERIFICATION

I hereby declare under penalty of perjury that I have read the foregoing Declaration of Service by U.S. Mail and that the facts stated therein are true and correct.

Executed on: October 6, 2004 /s/ Brian L. Boysen

AGRIVENTURE CREDIT CO LLC 12700 W DODGE RD PO BOX 2047 OMAHA NE 68103-2047	BANKCARD SERVICES PO BOX 17313 BALTIMORE MD 21297	CREDIT CARD SERVICES PO BOX 1323 BUFFALO NY 14240	DOROTHY BRONNER 322 1ST ST NW PO BOX 383 UTICA MN 55979	FIRST PREMIER BANK PO BOX 5519 SIOUX FALLS SD 57117
ALTURA HARDWARD INC C/O RON GATZLAFF PO BOX 186 169 1ST AVE SW ALTURA, MN 55910	CAPITAL ONE SERVICES PO BOX 85167 RICHMOND VA 23285-5167	CROSS COUNTRY BANK PO BOX 310731 BOCA RATON FL 33431-0731	EASTWOOD BANK C/O DUNLAP & SEEGER PA 206 S BROADWAY STE 505 PO BOX 549 ROCHESTER MN 55903-0549	GREENWAY COOP PO BOX 6878 ROCHESTER MN 55903
ALTURA STATE BANK 411 MAIN STREET NW ALTURA MN 55910	CAPITAL ONE SERVICES PO BOX 60000 SEATTLE WA 98190-6000	DARRELL URBAN RR2 BOX 217 SAINT CHARLES MN 55972	EASTWOOD BANK 140 MAIN ST PO BOX 125 ROLLINGSTONE MN 55969	HEARTLAND TIRE & SERVICE ATTN JIM 2811 S BROADWAY ROCHESTER MN 55902
AMERICAN EXPRESS PO BOX 297815 FORT LAUDERDALE FL 33329	CF WELDING & MANUFACTURING 1734 CO RD 142 SE DOVER MN 55929	DEERE AND CO WM P WASSWEILER 2000 METROPOLITAN CTR 333 S 7TH ST MPLS MN 55402	ELAN FINANCIAL SERVICES PO BOX 790408 SAINT LOUIS MO 63179	HODGMAN DRAINAGE CO INC C/O ANNE HEDBERG 60731 120TH AVE CLAREMONT, MN 55924
AMERICAN EXPRESS CENTURION BANK C/O BECKET & LEE PO BOX 3001 MALVERN PA 19355 0701	CHASE PO BOX 15902 WILMINGTON DE 19850	DEPARTMENT OF THE TREASURY INTERNAL REVENUE SERVICE OGDEN UT 84201-0039	FARM SERVICE AGENCY MINNESOTA STATE FSA OFFICE 375 JACKSON ST STE 400 ST PAUL MN 55101	HOG SLAT PO BOX 543 1112 20TH ST N HUMBOLDT IA 50548
AQUILLA PO BOX 219703 KANSAS CITY MO 64121-9703	CHASE MANHATTAN BANK PO BOX 52176 PHOENIX AZ 85072 2176	DIVISION CORP REGULATION SECURITIES & EXCHANGE COMM 450 5TH ST NW WASHINGTON DC 20549	HOLDEN FARMS INC 401 SO DIVISION SUITE B PO BOX 257 NORTHFIELD MN 55057	

HOUSEHOLD BANK PO BOX 98724 LAS VEGAS NV 89193	MASSEY LAND SURVEYING INC PO BOX 428 KASSON MN 55944	PHI FINANCIAL SERVICES C/O DEBRA DELARIA PO BOX 1050 JOHNSTON IA 50131	RYAN & GRINDE LTD 313 W 6TH ST PO BOX 356 SAINT CHARLES MN 55972-0356	UNITED STATES TRUSTEE 1015 US COURTHOUSE 300 S 4TH ST MINNEAPOLIS MN 55415
HOUSEHOLD CREDIT SERVICE PO BOX 5222 CAROL STREAM IL 60197-5222	MN DEPT OF REVENUE COLLECTION ENFORCEMENT 551 BANKRUPTCY SECTION PO BOX 64447 ST PAUL MN 55164	PHI FINANCIAL SERVICES PO BOX 75906 CHICAGO IL 60675-5906	SECURITIES & EXCHANGE COMM BANKRUPTCY SECTION 500 W MADISON #1400 CHICAGO IL 60661-2511	US ATTORNEY 600 US COURTHOUSE 300 SOUTH FOURTH STREET MINNEAPOLIS MN 55415
INTERNAL REVENUE SERVICE STOP 5700 BKY 316 N ROBERT ST ST PAUL MN 55101	MN DEPT OF REVENUE BANKRUPTCY SECTION PO BOX 64447 ST PAUL MN 55164	PHI FINANCIAL SERVICES INC C/O JOSEPH A WENTZELL 2855 ANTHONY LN S STE 200 ST ANTHONY MN 55418	SECURITIES and EXCHANGE COMM BANKRUPTCY SECTION 175 W JACKSON BLVD SUITE 900 CHICAGO IL 60661	US BANK BKY RECOVERY DEPT PO BOX 5229 CINCINNATI OH 45201 5229
INTERNAL REVENUE SERVICE PO BOX 9019 HOLTSVILLE NY 11742-9019	MN DEPT OF REVENUE PO BOX 64651 SAINT PAUL MN 55164-0651	PHI FINANCIAL SERVICES INC C/O FOSTER WENTZELL ET AL 2855 ANTHONY LN STE 201 ST ANTHONY MN 55418	SOUTHERN MN AERONOMIC & ENVIRO ROUTE 1 BOX 31 CHATFIELD MN 55923	US BANK NATIONAL ASSOCIATION 1700 FARNAM STREET OMAHA NE 68102
IRS DISTRICT COUNSEL 650 GALTIER PLAZA 175 E 5TH ST ST PAUL MN 55101	MN REVENUE MAIL STATION 1750 SAINT PAUL MN 55146-1750	PLUNKETTS PEST CONTROL 40 NE 52ND WAY MINNEAPOLIS MN 55421-1014	ST CHARLES EQUIPMENT INC PO BOX 618 HWY 14 E SAINT CHARLES MN 55972	US CORPORATE SERVICES 380 JACKSON STR 418 SAINT PAUL MN 55165
JOHN DEERE CREDIT 6400 NW 86TH ST PO BOX 6600 JOHNSTON IA 50301-6600	NEW HOLLAND CREDIT PO BOX 3600 LANCASTER PA 17604-3600	PROVIDIAN NATL BANK PO BOX 660584 DALLAS TX 75266	STATE OF MINNESOTA DEPT OF MANPOWER SERVICES 390 N ROBERT ST ST PAUL MN 55101	US CORPORATE SERVICES PO BOX 65607 SAINT PAUL MN 55165
JON WELCH FINANCIAL MANAGEMENT CONSULTAN 6901 VALLEY HIGH RD NW BYRON MN 55920	NEW HOLLAND CREDIT COMPANY 233 LAKE AVE RACINE WI 53403	REDBALL 140 30TH AVE SE PO BOX 159 BENSON MN 56215	SUMMER BAY PARTNERSHIP 25 TOWN CENTER BOULEVARD SUITE C CLERMONT FL 34711	US DEPT OF AGRICULTURE C/O ROYLENE A CHAMPEAUX 600 US COURTHOUSE 300 S 4 TH ST MINNEAPOLIS MN 55415
LEWISTON IMPLEMENT CO INC 6300 HWY 14 W PO BOX 370 LEWISTON MN 55952	ORCHARD BANK CARD DEPT BOX 3038 EVANSVILLE IN 47730-3038	RICHARD BUCKBEE 320 N CENTER ST PO BOX 435 UTICA MN 55979	THEIN WELL CO 7025 N HWY 63 ROCHESTER MN 55906	US DEPT OF AGRICULTURE FARM SVC AGENCY US ATTORNEY'S OFFICE 300 S 4TH ST RM 600 MINNEAPOLIS MN 55415
MALLOY ELECTRIC INC PO BOX 34 KENYON MN 55946-0034	ORCHARD BANK HOUSEHOLD CREDIT PO BOX 5222 CAROL STREAM IL 60197	RICKY ARTHUR ANDERSON JAN LEE ANDERSON 25795 CTY RD 37 ST CHARLES MN 55972	TODD ELEVATOR ATTN GARY TODD 1012 ST CHARLES AVE SAINT CHARLES MN 55972	WINONA COUNTY SHERIFF WINONA COUNTY COURTHOUSE WINONA MN 55987

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re

Bky. No.: 04-43949
Chapter 11 case

Ricky Anderson and
Jan Anderson

Debtor(s)

**ORDER APPROVING STIPULATION TO SETTLE DEERE
& COMPANY MOTION FOR RELIEF FROM THE
AUTOMATIC STAY**

This matter came before the Court on October 20, 2004. Appearances were noted on the record. After consideration of the files and records herein and the arguments of counsel, IT IS

HEREBY ORDERED

1. Debtors request for expedited relief pursuant to Local Rule 9006-1(d) is granted.
2. The Stipulation to Settle Deere & Company Motion for Relief from the Automatic Stay filed on October 4, 2004 by the Debtors and Deere & Company to settle the pending Deere & Company motion for relief from the automatic stay is approved and its terms are incorporated by reference into this order.

So ordered this ____ day of _____, 2004.

Hon. Robert J. Kressel
United States Bankruptcy Judge